

An act to add Section 84751.7 to the Education Code, relating to education finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.

SECURED
COPY

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 84751.7 is added to the Education Code, to read:

84751.7. (a) (1) On or before June 30 of each fiscal year, an amount to be determined by the Director of Finance shall be appropriated from the General Fund to the Board of Governors of the California Community Colleges in augmentation of Schedule (1) of Item 6870-101-0001 of Section 2.00 of the Budget Act for that fiscal year.

(2) The funds appropriated pursuant to paragraph (1) shall only be available to the extent that offsetting revenues distributed to community college districts pursuant to subparagraph (A) of paragraph (3) of subdivision (e) of Section 36 of Article XIII of the California Constitution are less than the estimated amount reflected in the Budget Act for that fiscal year, as determined by the Director of Finance.

(b) On or before June 30 of each fiscal year, the Director of Finance shall determine if the offsetting revenues distributed to community college districts pursuant to subparagraph (A) of paragraph (3) of subdivision (e) of Section 36 of Article XIII of the California Constitution exceed the estimated amount reflected in the Budget Act for that fiscal year and shall reduce Schedule (1) of Item 6870-101-0001 of Section 2.00 of the Budget Act for that fiscal year by the amount of that excess.

(c) The Director of Finance shall notify the Chairperson of the Joint Legislative Budget Committee of his or her intent to notify the Controller of the necessity to take action pursuant to either subdivision (a) or subdivision (b), and shall report either the amount to be appropriated pursuant to pursuant to subdivision (a) or the amount to be reduced pursuant to subdivision (b).

(d) The Controller shall make funds appropriated pursuant to subdivision (a) available not sooner than five days after notification by the Director of Finance. The Chancellor of the California Community Colleges shall work with the Controller to allocate these funds to community college districts as soon as practicable.

(e) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for community college districts,” as defined in subdivision (d) of Section 41202, for that fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202, for that fiscal year.

SEC. 2. This act is a bill providing for appropriations related to the Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution, has been identified as related to the budget in the Budget Bill, and shall take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

Bill No.

as introduced, _____.

General Subject: Education finance: education finance trailer bill.

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the 3 segments of public postsecondary education in this state. Proposition 30, known as the Schools and Local Public Safety Protection Act of 2012 (Proposition 30), was approved by the voters at the November 6, 2012, statewide general election and, among other things, increased certain tax rates and deposited the revenues from those increases in tax into the Education Protection Account. Proposition 30 provides that all moneys in the Education Protection Account are continuously appropriated for the support of school districts, county offices of education, charter schools, and community college districts, and requires 11% of the moneys appropriated to be allocated quarterly by the Board of Governors of the California Community Colleges to community college districts to provide general purpose funding to community college districts, as specified. Proposition 30 requires that allocation to be offset by certain amounts, provided that no community college district receives less than \$100 per full-time equivalent student.

This bill would require an amount to be determined by the Director of Finance to be appropriated, on or before June 30 of each fiscal year, from the General Fund to the Board of Governors of the California Community Colleges if the revenues distributed to community college districts that are intended to offset the Education Protection Account allocation are less than the estimated amount reflected in the Budget Act for the that year. If the revenues distributed to community college districts that are intended to offset the Education Protection Account allocation exceed the estimated amount reflected in the Budget Act for that fiscal year, the bill would require the Director of Finance to reduce a specified item of that Budget Act by the excess amount.

Funds appropriated by this bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution for the fiscal year in which they are appropriated.

This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.